

Before The
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GENERAL COUNSEL
OF COPYRIGHT

In the Matter of Rulemaking

Notice and Recordkeeping for Use of
Sound Recordings Under Statutory
License

Docket No. RM 2005-2

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MOTION TO ACCEPT LATE FILING

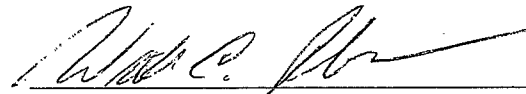
Collegiate Broadcasters, Inc. ("CBI") hereby moves the Copyright Royalty Board ("Board") to accept the late filing of CBI's "Comments of Collegiate Broadcasters, Inc.", ("Comments") in the above referenced proceeding. CBI fully intended to submit its comments by the due date of September 26, 2005. In order to meet the deadline, CBI completed its comments on September 25, 2005 and followed the instructions in the Request¹ for the overnight delivery of comments as per the notice. Included with this motion is a copy of the USPS Express mail shipping label, which clearly shows the date of delivery of the comments at the USPS Office as August 25, 2005 and the "Scheduled Date of Delivery" as August 26, 2005.

CBI was notified only today by the board that our comments were not delivered as expected. Given the demonstrable good faith attempt to meet the published deadline and the delay of only one business day in the receipt of the CBI comments, CBI believes that the Board should accept this motion and that none of the participating parties in this proceeding will be unfairly prejudiced by the grant of this motion.

¹ 70 Fed. Reg. 43364 (July 27, 2005)

Dated: September 2, 2005

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'William C. Robedee', is written over a horizontal line.

William C. Robedee, Chair
Collegiate Broadcasters, Inc.
6100 Main Street, MS-529
Houston, TX 77005
713-348-2935



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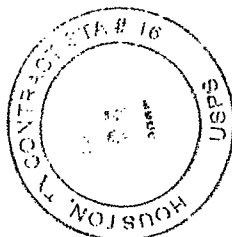
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